

AMENDMENTS TO DRAWINGS

Please replace FIG. 9 with the amended FIG. 9 attached.

REMARKS/ARGUMENTS

In the Office Action mailed March 30, 2005, claims 1-19 are pending. Claims 1-19 are rejected. By this amendment, claim 4 is amended to be put in independent form and claims 1 and 17 are amended.

AMENDMENTS TO THE DRAWINGS

FIG. 9 has been amended to amended to correct minor, inadvertent errors. A corrected drawing sheet is attached.

The lead line for reference numeral 116 has been lengthened to contact the outside of the steering cable tube.

REJECTIONS UNDER OBVIOUSNESS TYPE DOUBLE PATENTING

Claims 1-16 are rejected under the judicially-created doctrine of obviousness type double patenting as being unpatentable over claims 1-7 of U.S. Patent No. 6,761,599. In order to overcome this rejection but without acquiescing to the propriety of it, Applicant is providing a terminal disclaimer herewith and requests that the obviousness type double patenting rejections of claims 1-16 be removed.

REJECTIONS UNDER 35 U.S.C. § 112

Claims 17-19 are rejected under 35 U.S.C. § 112(2nd para.) as being indefinite for failing to point out and distinctly claim the subject matter which the Applicant regards as the invention. Claim 17 was dependent upon itself. Applicant has remedied this typographical error and has amended claim 17 to now depend from claim 16. Applicant now submits that these claims are now patentable and request allowance of them.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 11-15 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,774,568 to *Borst, et al.* (hereinafter, "*Borst*"). Applicant respectfully traverses this rejection.

A Section 102 rejection is proper only if each and every element as set forth in the claim is found – i.e., the prior art must teach each and every aspect of the claim, see *Verdegall Brothers v. Union Oil Co. of California*, 918 F.2d 628, 631 (Fed. Cir. 1987); *see also* M.P.E.P. § 2131.

Claim 11, and thus its dependent claims, recite a combination including “end fittings engaging opposite ends of the bore in the second bracket, the end fittings each having an opening, a cable tube extending through the openings”. *Borst* does not teach or suggest a combination including the above-referenced claim language. For example, see FIG. 1, of *Borst*. FIG. 1 shows a cable that terminates at approximately element 139. A cable tube does not extend through the openings at opposite ends of the bore as recited by independent claim 11, but rather terminates at one side. Therefore, *Borst, et al.* does not teach or suggest each and every element as set forth in the claims. Therefore, Applicant respectfully requests that claim 11 and its dependent claims be allowed for at least this reason.

Applicant notes that it does not agree that claim 12 renders claim 11 moot. It is well known that a dependent claim cannot modify an independent claim from which it depends.

Claims 1-3 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,276,977 to *Treinen, et al.* (hereinafter, “*Treinen*”). Applicant respectfully points out that *Treinen* does not teach or suggest every element as set forth in claim 1, and its dependent claims 2 and 3. For example, claim 1 recites a combination, including “a piston being reciprocatingly received within the bore, the piston being substantially solid slidably engaged within a center section of the piston, the piston slidably engaging the bore.” In contrast, *Treinen*, at best, in FIG. 4 shows a piston having hollow section and a member 274 slidably engaging the piston through the hollow section of the piston. The piston of *Treinen* must be hollow to receive the member 274. Because *Treinen* does not teach or suggest every aspect of claim 1, Applicant respectfully requests that the claim 1 and dependent claims 2 and 3 be allowed.

CONCLUSION

In view of the foregoing remarks, the Applicant respectfully requests that all the objections and rejections to the claims be removed and that the claims pass to allowance. If for any reason the Examiner disagrees, please call the undersigned attorney at 202-861-1792 in an effort to resolve any matter still outstanding before issuing another action. The undersigned Attorney is confident that any issue which might remain can readily be worked out by telephone.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036.

Respectfully submitted,

BAKER & HOSTETLER LLP



P. Alan Larson
Registration No. 53,184

Date: 9/23/05
Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5304
Telephone: 202-861-1500
Facsimile: 202-861-1783